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Attorney(s) for Plaintiff(s)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

EDWARD ORTIZ, JUAN M. BAEZ II, QIN
FA ZHENG, SIMON BARBOSA, JONATHAN
OLIVA, LUIS ARAOZ, and AHMET
KOTSEV, individually and on behalf of all
others similarly situated,

Plaintiff(s),

vs.

CITY OF PATERSON, NEW JERSEY, and
JERRY SPEZIALE, SHERIFF OF PASSAIC
COUNTY, NEW JERSEY,

Defendants.

Civil Action No.: 2:05-cv-1770 (JLL)

PLAINTIFFS' MOTION FOR
PARTIAL SUMMARY JUDGMENT
AS TO FACIAL INVALIDITY OF
ORDINANCE AND ISSUANCE OF
PERMANENT RESTRAINTS

PLEASE TAKE NOTICE that, upon this Motion, accompanying Memorandum of Law, Statement of Undisputed Facts and the Certification of Steven C. Schechter, Esq. and Exhibits thereto, by and through their undersigned counsel, Plaintiffs will move this Court before Hon. Jose L. Linares, U.S.D.J., in the United States Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order (submitted herewith) granting Plaintiffs partial summary judgment with respect to their request for Declaratory Judgment and permanently enjoining the enforcement of City of Paterson Ordinance No. 03-099 entitled "Ordinance Authorizing Seizure of Vehicles."

WHEREFORE, Plaintiffs request entry of summary judgment that the aforesaid Ordinance enacted by the City of Paterson, New Jersey, is facially invalid and unenforceable as violative of the United States Constitution, violative of the New Jersey Constitution and that it is pre-empted by the New Jersey Civil Forfeiture Law codified at N.J.S.A. 2C:64-1 et seq.

Dated: May 11, 2006.

Respectfully submitted,

By: 

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